

REMARKS

This is a response to the final Office action that was issued on November 4, 2004 for the above-identified patent application. As an initial matter, Applicants want to thank the Examiner for his time and participation in the telephonic interview with Applicants' authorized representative on March 1, 2005. During this interview, claim 1 and the cited references to Anton, Cottrell and Brander were discussed. Specifically, the granular mixture recited in claim 1 was compared to the paste and other non-granular compositions disclosed in the cited references. In the interview, agreement was reached that the rejection of claim 1 over the cited references would be withdrawn. For the Examiner's convenience, the remarks made by Applicants during the interview are presented below in written form.

Prior to entry of the above amendments, claims 1-9 and 11-28 were pending. In the final Office action, the Examiner rejected claims 1-9 and 11-25 under 35 U.S.C. § 103(a) as being obvious, rejected claim 15 under 35 U.S.C. § 112, 2nd paragraph, as being indefinite, and withdrew claims 26-28 from consideration. By the above amendments, claim 15 is amended, and claims 26-28 are cancelled without prejudice. Applicants have studied the cited references and the reasons for rejecting the claims under 35 U.S.C. § 103(a), and Applicants respectively traverse the same. In view of the foregoing claim amendments, the following remarks and the March 1, 2005 interview, Applicants request reconsideration of the final Office action issued in connection with the above-identified patent application.

Rejections under 35 USC § 103(a)

In the final Office action, independent claim 1 was rejected as being obvious over Anton (U.S. Patent No. 4,837,077), in view of Cottrell (U.S. Patent No. 5,532,350), and Brander (U.S. Patent No. 6,376,034). Applicants respectfully traverse and request reconsideration of this rejection in view of the following remarks discussed and agreed upon during the Examiner interview. Claim 1 is presented below for the Examiner's convenience:

1. (Previously Presented) An absorbent composition for use in a children's amusement device, the composition consisting essentially of a granular mixture comprising a superabsorbent polymer, a gum, gelatin and a binder.

The Examiner has correctly recognized that Anton fails to disclose or suggest the composition recited in claim 1.

Specifically, Anton discloses a paste composite material for use in the cable industry, with the paste composite material including a superabsorbent polymer and a binder. Anton specifically teaches that the composite material is a paste adapted for coating, or fixing onto, a support surface. As is clearly disclosed, the composite material of Anton is created, in part, by dissolving a binder in a liquid, and subsequently mixing in a polymer powder to form a paste. See Anton, column 3, lines 42-46, and column 4, lines 10-26. Anton specifically teaches that the "viscosity of the coating paste of the invention is adjusted ... so that the coating layer obtained is even and adheres well to the support." See Anton, column 4, lines 22-26. As the composite of Anton is a paste, Anton fails to disclose and teaches away from "the composition consisting essentially of a granular mixture" recited in claim 1. Further, the essentially granular composition of claim 1 is incapable of being fixedly positioned as a

coating on solid objects like cables, and thus, would be inoperable for Anton's purpose of coating cables with an absorptive sealant.

Similarly, neither Cottrell nor Brander teach or suggest the composition recited in claim 1, either alone, or in combination with Anton. In the final Office action, the Examiner stated that these secondary references were relied upon only for their specific disclosures. Applicants agree that secondary reference Cottrell discloses an absorbent material that includes a gum, and that secondary reference Brander discloses an absorbent composition that includes a gelatin. However, both Cottrell and Brander are non-analogous art to the present application, and Anton specifically teaches away from combining the disclosed paste with any non-absorbent components. Furthermore, neither Cottrell, Anton, nor Brander even suggest a combination that would result in the composition of claim 1.

Furthermore, the combination of Anton with Cottrell and Brander would fail to result in the composition recited in claim 1, or to render claim 1 obvious. As discussed in detail above, the composite material of Anton is a paste. Combining Anton with these cited secondary references would fail to transform the paste composite of Anton into the "composition consisting essentially of a granular mixture" of claim 1. Accordingly, claim 1 is believed to patentably distinguish the references of record.

For at least the above reasons, claim 1 is not obvious in light of the cited references. Therefore, Applicants request that the rejection of claim 1 under 35 U.S.C. § 103(a) be withdrawn. Claims 2-9 and 11-25 depend from claim 1, and therefore should be allowed upon allowance of claim 1.

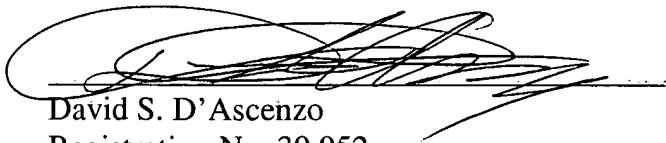
Rejection under 35 U.S.C. § 112, 2nd Paragraph

Claim 15 was rejected under 35 U.S.C. § 112, 2nd paragraph as being indefinite. Applicants respectfully traverse this rejection but have amended claim 15 to return claim 15 to its original, non-objected language. Applicants request that the rejection of claim 15 under 35 U.S.C. § 112 be withdrawn.

With the entry of the above amendments, and for the reasons stated, Applicants submit that all of the issues raised in the Office action have been addressed. If the Examiner has any questions or if there are any remaining issues, Applicants' undersigned attorney may be reached at the number listed below. Similarly, if the Examiner believes that another telephonic interview would be helpful to advance prosecution of the application, the Examiner is invited to contact Applicants' undersigned attorney at the number listed below.

Respectfully submitted,

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